



23 January 2008

Michelle Williams  
USPTO  
Corrections Branch  
Fax: 571.270.9945  
Tel.: 703.308.9390 ext. 1181

Re: 7,174,954 Heat Exchanger, Certificate of Correction  
(total 6 pages including this cover letter)

Dear Michelle Williams,

Thank you for your call regarding the correction of assignee information for the patent listed above. I have received a CD copy of the patent file, which enables me to provide a complete package of materials.

I attach a completed SB/44 form with supporting documentation. Thank you very much for helping me remedy the current situation. Details are included in the SB/44 form. If you have any comments or questions, please feel free to call me at any time.

Thank you & best regards,

A handwritten signature in black ink, appearing to read 'P. Lipert', written over a circular stamp or seal.

Peter Lipert

163 Roger Pilon  
D.D.O., Montreal  
Quebec H9B 1A9  
Canada  
plipert@claroglobal.com  
514.562.4575

1485

## MANUAL OF PATENT EXAMINING PROCEDURE

PTO/SB/44 (04-05)  
Approved for use through 04/30/2007. OMB 0861-0083  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**Page 1 of 5

PATENT NO. : 7,174,954 Heat Exchanger  
APPLICATION NO.: 08/418,286  
ISSUE DATE : 13 February 2007  
INVENTOR(S) : Peter Lipert, Erwin Schwartz

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Dear USPTO,

I am writing to request a correction to the following patent: 7,174,954 Heat Exchanger. The assignee information is incorrect. I have not assigned this patent to Erwin Schwartz or any other party. I have verified with the Assignment Branch, USPTO; Assignment Branch does not have an assignment on record. The incorrect assignment information stems from the Notice of Allowance (11 Oct 2006; attached). This incorrect information forms part of Mr. Schwartz's calculated attempts to prevent me from using this patent. He has used the assignment listing on the USPTO web site and the listings on patent sites across the web to suggest to clients that I do not have rights to this intellectual property. I would like to request that the front page of the patent on the USPTO web site be amended since Mr. Schwartz is using the authority and public legitimacy of the official website to defraud me of fair use of the patent. Clients will not look to an amendments page. I cannot always have knowledge of how he is mis-using USPTO publications.

Mr. Schwartz has also attempted to have me removed as an inventor without my knowledge. His petition, which was refused by the Petitions Branch, is attached. Mr. Schwartz has refused to provide me with USPTO correspondence despite the fact that I have paid all that is due to him as the designated administrator of this patent application (I no longer agree with this designation now that I have evidence of nefarious activity; he was required by agreement to share documentation). Attached documentation is copied from a certified copy of the patent file requested by me from USPTO.

I am the primary inventor for this unit. I have been designing equipment for wastewater treatment for 40 years including heat exchangers. Here is a list of my earlier U.S. patents: 11/348,853

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Peter Lipert: 163, Roger Pilon, D.D.O., Montreal, QC H2V 2K8;  
Tel.: 514.562.4575; email plipert@claroglobal.com

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

1485

## MANUAL OF PATENT EXAMINING PROCEDURE

FTO/SB/44 (04-05)

Approved for use through 04/30/2007. OMB 0651-0033

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**Page 2 of 5

PATENT NO. : 7,174,954 Heat Exchanger  
APPLICATION NO.: 08/418,286  
ISSUE DATE : 13 February 2007  
INVENTOR(S) : Peter Lipert, Erwin Schwartz

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Pending & US 5,862,610, US 4,356,131, US 4,293,506, US 4,187,263, US 4,169,873. Five (5) other patents are in preparation. As the lead inventor, I would like to ask if it is possible to change the inventor listing to Lipert et al., especially given that my name falls alphabetically before Mr. Schwartz's. By being listed in non-alphabetical order the patent suggests that I was a minor contributor to the technology's development. This is the prevailing method of indicating intellectual input in scientific papers. The current listing corroborates Mr. Schwartz's claim that he is the primary and sole beneficiary of the patent's intellectual property rights.

A last note: I am requesting a correction to the front page of USPTO documentation, especially the web site, in order to attempt to remedy past and continuing damages caused by deliberate exclusions and misinformation propagated by Mr. Schwartz. Currently, clients think that I cannot supply the subject technology. I am not contacted.

Also, would it be possible to have a copy of all correspondence sent to my address? Mr. Schwartz has denied me access to file information: 163 Roger Pilon D.D.O. Montreal H9B 1A9

I attach the following supporting documentation:

- 1) USPTO web site listing of the heat exchanger patent (1 st page), including assignee listing
- 2) Notice of Allowance containing the fraudulent assignment claim, signed by Mr. Schwartz
- 3) Petition by Mr. Schwartz to have me removed as an inventor (denied by USPTO)

Thank you very much for reviewing this Certificate of Correction. I appreciate your efforts very much.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Sincerely,  
Peter Lipert (514.562.4575)

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**USPTO PATENT FULL-TEXT AND IMAGE DATABASE**

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**United States Patent**  
**Schwartz , et al.**

**7,174,954**  
**February 13, 2007**

**Heat exchanger**

**Abstract**

The present invention relates to a heat exchanger comprising a plurality of parallel-oriented plates or layers securely fixed between two outer walls or frames to define between adjacent plates an area of sealed passages for two heat exchanging fluids, channel or duct means for conducting a hot medium and a cold medium respectively over the layers such that the flow of hot and cold medium takes place in an in-line and a counter-flow fashion, and an external return bend means providing a transfer of the respective medium from one layer to another. Each of the channel means are defined by a pair of layers disposed one next to the other, by straight or directional baffle means, and an internal return bend means located between the adjacent layers. The internal return bend means have a configuration allowing direct access to the channel means at at least one end without the necessity to dismantle the entire heat exchanger unit, and the outer walls or frames of the heat exchanger form a permanently fixed rigid structure to provide a liquid-tight enclosure. The external return bend means have a predetermined configuration adapted to provide a greater flow turbulence of the fluid passing through each of the channels.

**Inventors:** Schwartz; Erwin (Dollard-des-Ormeaux, Que., CA), Lipert; Peter (Dollard-des-Ormeaux, CA)

**Assignee:** Schwartz; Erwin (Dollard-des-Ormeaux, CA)

**Appl. No.:** 08/418,286

**Filed:** April 7, 1995

**Current U.S. Class:**

165/166 ; 165/95

**Current International Class:**

F28F 3/08 (20060101)

**Field of Search:**

165/169,168,166,165,80.4,174,167

**References Cited [Referenced By]**

<http://patft.uspto.gov/netacgi/nph-Parser?Sect1=PTO2&Sect2=HITOFF&u=%2Fnetathtml...> 1/23/2008



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PAGE 210 RCVD AT 6/16/2004 1:47:59 PM [Eastern Standard Time] \* SVR:USPTO-EF-XRF-4/11 \* DNIS:2709945 \* CSID:5142709767 \* DURATION (mm-ss):03-52

**A) Subject "Renewed Petition under 37 C.F.R. & 1.182 and & 1.48".**

2/17

**Application # 08/418,286****Filing Date: 04/07/95****Examiner: Mr. Atkinson C.****Applicant- Schwartz ERWIN.****Title: Heat Exchanger****Art Unit: 3407****RECEIVED****JUN 2 2 2004****OFFICE OF PETITIONS**

1- As a response to your Letter dated Feb 20 2004, to my seeking to "alter the inventive entity".

→ Please REMOVE the name of Peter Lipert from this application

Also my first name is "Erwin". Please correct

Please confirm receiving this request.

Reason is: Mr. Peter Lipert does not want to pay for any patent related expense.

Proof= Please find attach his check # 0055 (for 175 \$ Canadian) that was returned from the bank, where by originally was issued for the patent revival in USA.

You can see in bottom left of the check, should have been about half of the "Petition to revive -unavoidable" fee of US\$ 55 plus "Terminal disclaimer" fee of US\$ 55 (110 US\$ /2 = about 75 \$ Canadian) But it was cancelled later or had no sufficient funds in the account.

Definitely, he is not willing to pay for this now much higher expense attached today.

Attached is my fee for "Petition to revive- Unintentional" for 665 \$ US. (code 2453)

And my fee for "Processing fee under 37 CFR" for 50 \$ US (code 1807)

On the attached (PTO/SB/17 with fee is included).